

In re application of: Davis et al.

Attorney Docket No.: VISAP016

Application No.: 09/359,083

Examiner: LIVERSEDGE, Jennifer L.

Filed: July 22, 1999

Group: 3692

Title: INTERNET PAYMENT,  
AUTHENTICATION AND LOADING SYSTEM USING  
VIRTUAL SMART CARD

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Signed: Ann Lowe Type Signature Here /Ann Lowe/

**RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF  
(37 CFR 41.37)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This reply is submitted in response to the Communication mailed June 13, 2007 (copy attached) in which the response required by 37 CFR 1.121 was deemed incomplete "because the brief did not identify the appealed claims." It is believed that the status of claims section of the defective brief has been corrected accordingly.

Please replace the original page one of the Appeal Brief with the following page one providing the amended Section III Status of Claims:

## **I. REAL PARTY IN INTEREST**

The real party in interest is Visa International Service Association, 900 Metro Center Blvd., Foster City, CA 94308.

## **II. RELATED APPEALS AND INTERFERENCES**

There are no related appeals or judicial proceedings known to the Appellants.

## **III. STATUS OF CLAIMS**

Allowed claims:	None
Claims objected to:	None
Claims rejected:	1-8 and 34-43.
Claims on appeal:	1-8 and 34-43.

## **IV. STATUS OF AMENDMENTS**

No amendments were filed following the Office Action of May 9, 2006. Appellants filed a Pre-Appeal Brief Request for Review on September 11, 2006 and a Notice of Panel Decision was mailed to Appellants on November 16, 2006.

## **V. SUMMARY OF CLAIMED SUBJECT MATTER**

The present invention provides an online purchase and load (OPAL) server that implements virtual smart cards. It provides software emulation of smart cards and smart card readers that operate with current Internet payment and loading systems. Advantageously, components of Internet payment and loading systems (such as the merchant server and payment server) and techniques for processing payment and load transactions may remain the same when using the present invention. Use of the OPAL

server of the present invention is transparent to merchants on the Internet. In one embodiment, a smart card and its associated card reader are emulated on a remotely-located OPAL server computer, thus obviating the need for physical smart cards and smart

Respectfully submitted,  
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